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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/583,498	06/16/2006	Hermann Gollwitzer	502901-235PUS	3695
27799 7590 02/03/2009 COHEN, PONTANI, LIEBERMAN & PAVANE LLP 551 FIFTH AVENUE SUITE 1210 NEW YORK, NY 10176				
EXAMINER				
SAINT CYR, JEAN D				
ART UNIT		PAPER NUMBER		
2425				
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/583,498

**Applicant(s)**

GOLLWITZER, HERMANN

**Examiner**

JEAN D. SAINT CYR

**Art Unit**

2425

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 25 September 2008.  
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 7-11 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 7-11 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
10) ☒ The drawing(s) filed on 16 June 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☐ Information Disclosure Statement(s) (PTO/5508)  
Paper No(s)/Mail Date \_\_\_\_\_

- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_  
5) ☐ Notice of Informal Patent Application  
6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### **Response to Amendment**

This action is in response to applicant's amendment filed on 09/25/2008. Claims 7-11 are still pending in the current application. **This action is made NON-FINAL.**

### **Response to Arguments**

Applicant's arguments with respect to claims 7-11 have been considered but are moot in view of the new ground(s) of rejection. Applicant argues that the cited references did not disclose optical coupler with filters for separating the first and the second data channels.

However, Rikitake et al disclose in fig.10 an optical coupler associated with two optical filters for separating channels. And Rikitake et al disclose an optical filtering function to demultiplex the wavelength-multiplexed optical signal on a per wavelength basis to forward to each corresponding unit. As a result, this action is made non-final.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 7-9,11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Broghammer et al, US Patent Application Publication 2002/0158879, in view of Rikitake US No. 20030059160.

Re claim 7, Broghammer et al disclose an audio/video system for a motor vehicle (see fig.1; Video and Audio Applications in Vehicles, 0014), comprising a ring-shaped (the MOST bus is ring-shaped), bidirectional, optical network (with an optical connecting line, 0020) including optical fibers and audio/video appliances connected to one another in a ring shape by said optical network (see fig.1, DVD player, TV receiver).

But Broghammer et al did not explicitly disclose wherein data are transmitted between said audio/video appliances in said network in a first data channel having a first optical wavelength and in a second data channel having a second optical wavelength, each of said audio/visual appliances having an optical coupler with filters for separating said first and second data channels.

However, Rikitake et al disclose wherein data are transmitted between said audio/video appliances in said network in a first data channel having a first optical wavelength and in a second data channel having a second optical wavelength(see fig.10; first and second wavelength, 0038), each of said audio/visual appliances having an optical coupler(see fig.10, element 8, optical coupler) with filters for separating said first and second data channels(see fig.10, element 5, optical filters; an optical filtering function to demultiplex the wavelength-multiplexed optical signal on a per wavelength basis to forward to each corresponding unit, 0069).

It would have been obvious for any person of ordinary skill in the art at that time the invention was made to introduce channels with different wavelength into the system of Broghammer, as taught by Rikitake, for the benefit of limiting noise and interference in the system.

Re claim 8, Broghammer et al disclose wherein the data transmitted in said first data channels are formatted according to a first data format and data transmitted in said second data channel are formatted according to a second data format (The inventive graphic output unit 2 processes the various graphic data formats

from different graphic data sources, and displays the processed (e.g., decompressed) graphic image data, 0023).

Re claim 9, Broghammer et al did not explicitly disclose wherein said first and second data channels have different bandwidths.

However, Rikitake et al disclose these two wavelengths  $\lambda_0$  and  $\lambda_1$  are optically multiplexed into one optical signal being transmitted through a single optical fiber line in a wavelength multiplexing (WDM) unit 3, to forward to a succeeding node, 0059; by multiplexing them together that means two different ranges of frequency were used for each one.

It would have been obvious for any person of ordinary skill in the art at that time the invention was made to introduce data channels with different bandwidth into the system of Broghammer, as taught by Rikitake, for the purpose of limiting interference in the system.

Re claim 11, Broghammer et al did not explicitly disclose wherein data are transmitted in said network on further data channels having other optical wavelengths.

However, Rikitake et al disclose wherein data are transmitted in said network on further data channels having other optical wavelengths (a wavelength multiplexer wavelength-multiplexing the optical clock signal having wavelength  $\lambda_0$  together with other optical wavelength data, 0037).

It would have been obvious for any person of ordinary skill in the art at that time the invention was made to introduce channels with different wavelength into the system of Broghammer, as taught by Rikitake, for the benefit of limiting noise and interference in the system.

Claims 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Broghammer et al in view of Rikitake further in view of Ferguson et al, US No. 6052555.

Re claim 10, Broghammer et al did not explicitly disclose wherein the one of the first and second data channels having a larger bandwidth is used to transmit data based on an Internet protocol.

However, Ferguson et al disclose wherein the one of the first and second data channels having a larger bandwidth (Other high speed large bandwidth interconnections such as wireless connections, etc. can be used in place of the fiber optic cable, col.4, lines 1-2) is used to transmit data based on an Internet protocol (Internet Protocol, col.3, line 42).

It would have obvious for any person of ordinary skill in the art at that time the invention was made to introduce large bandwidth and internet protocol into the system of Broghammer in view of Rikitake , as taught by Ferguson, for the benefit of reducing latency in transmitting data.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jean Duclos Saintcyr whose phone number is 571-270-3224. The examiner can normally reach on M-F 7:30-5:00 PM EST. If attempts to reach the examiner by telephone are not successful, his supervisor, Brian Pendleton, can be reached on 571-272-7527. The fax number for the organization where the application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Retrieval (PAIR) system. Status information for published applications may be obtained from either private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair->

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/Jean Duclos Saintcyr /

/Brian T. Pendleton/

Supervisory Patent Examiner, Art Unit 2425